

REIMBURSEMENT OF HONOLULU FIRE DEPARTMENT.

L E T T E R

FROM

THE SECRETARY OF WAR,

RECOMMENDING

APPROPRIATION FOR REIMBURSEMENT OF HONOLULU FIRE
DEPARTMENT.

JANUARY 27, 1902.—Referred to the Committee on Claims and ordered to be printed.

WAR DEPARTMENT,
Washington, January 23, 1902.

SIR: I have the honor to transmit herewith a letter from the Quartermaster-General of the Army, dated January 8 instant, inclosing copies of correspondence relative to the destruction of about 700 feet of hose belonging to the Honolulu fire department, while the said department was assisting in extinguishing a fire in the coal pile belonging to the Quartermaster's Department in Honolulu, in November, 1900.

From the reports of the Quartermaster's Department it appears that the hose was worn out and damaged in the preservation of Government property, and the Quartermaster-General recommends, as there are no funds under the control of his department which could be applied in replacing the hose, that an appropriation of \$600 be made in order that the Honolulu fire department may be reimbursed the value of said hose.

The matter is therefore submitted for such action as Congress may be pleased to take.

Very respectfully,

ELIHU ROOT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, January 8, 1902.

SIR: I have the honor to submit the inclosed copies of correspondence, from which it will be seen that a coal pile belonging to the quar-

termaster's department, and containing about 600 tons, at the corner of Alakea and Allen streets, in Honolulu, caught fire and burned from November 6 to 13, 1900; that the fire department of Honolulu worked day and night to put out the fire from November 7 to 10, when the hose of the fire department was attached to the pumps of the U. S. S. *Iroquois* and the fire was finally extinguished; but the constant thumping on the ground wore out and greatly damaged the hose, estimated at 700 feet.

There being no appropriation of the Quartermaster's Department applicable for replacing this hose by purchase, it is recommended that the attention of Congress be called thereto with recommendation that an appropriation of \$600 be made in order that the Honolulu fire department may be reimbursed the value of the hose thus worn out and damaged in the preservation of Government property.

Respectfully,

M. I. LUDINGTON,
Quartermaster-General, U. S. A.

The SECRETARY OF WAR,
Washington, D. C.

WAR DEPARTMENT,
GENERAL DEPOT OF THE QUARTERMASTER'S DEPARTMENT,
Honolulu, H. I., November 22, 1900.

DEAR SIR: I desire to express to you and the employees of the fire department my appreciation of the cheerfulness, intelligence, and energy displayed by your department during the fire in the large coal pile at the corner of Alakea and Allen streets November 6-13, 1900.

This fire (caused by spontaneous combustion) was a very obstinate one. Investigation, after the fire was extinguished, shows that it originated at the bottom of the pile, near the center; and constant and unremitting attention, day and night, alone prevented a serious conflagration.

I shall bring this matter to the notice of the Quartermaster-General of the Army.

Very respectfully,

A. SLAKER,
Captain, Sixth U. S. Artillery, Acting Depot Quartermaster.

MR. J. HUNT,
Chief Engineer, Honolulu Fire Department, City.

HONOLULU, H. I., *December 27, 1900.*

Capt. A. SLAKER,
Sixth United States Artillery, Acting Depot Quartermaster, Honolulu, H. I.

SIR: I have pleasure in acknowledging your favor of the 22d ultimo, wherein you express your appreciation of the service of this department in suppression of fire in the United States Government coal pile, which raged from November 6 to 13 last.

In this connection I would state that during this fire 700 feet of our fire hose used by the U. S. S. *Iroquois* was rendered useless through the continuous high pressure brought to bear on it.

Inasmuch as our appropriations for supplies are figured very closely, and this being an exigency unprovided for, I would respectfully request your assistance in having the damaged hose replaced by your department.

Sincerely, yours,

KENNETH R. G. WALLACE,
Secretary Honolulu Fire Department.

REIMBURSEMENT OF HONOLULU FIRE DEPARTMENT.

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WAR DEPARTMENT,
GENERAL DEPOT OF THE QUARTERMASTER'S DEPARTMENT,
Honolulu, H. I., January 2, 1901.

SIR: I have the honor to inclose copy of a letter received from the Honolulu fire department, and also copies of letters written in this connection shortly after the fire. The fire department worked night and day and had to use a line of hose over 500 feet long.

The powerful pumps of the *Iroquois* finally put out the fire, but the constant thumping on the ground wore out the hose.

The Territorial government still controls municipal affairs, the fire department being a part of its charge.

The United States Government has been recipient of many courtesies from the local government, which have saved the Quartermaster's Department much money. For instance, in not charging transports for water and pilotage (until September, 1900) over \$100,000 was saved.

I recommend that this hose be replaced if our laws allow that this is a proper charge against the United States.

Very respectfully,

A. SLAKER,
*Captain, Sixth United States Artillery,
Acting Depot Quartermaster.*

The CHIEF QUARTERMASTER,
Headquarters Department California, San Francisco, Cal.

[First indorsement.]

CHIEF QUARTERMASTER'S OFFICE, DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., January 14, 1901.

Respectfully forwarded to the adjutant-general Department of California, with recommendation that these papers be forwarded to the Quartermaster-General.

I know of no law under which the Honolulu fire department can be reimbursed for the damaged hose.

J. M. MARSHALL,
Deputy Quartermaster-General, U. S. A., Chief Quartermaster.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., January 15, 1901.

Respectfully forwarded to the Adjutant-General of the Army.

WM. M. SHAFTER,
Major-General, Commanding.

[Third indorsement.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 23, 1901.

Respectfully referred to the Quartermaster-General United States Army.
By order of the Secretary of War:

GEO. ANDREWS,
Assistant Adjutant-General.

[Fourth indorsement.]

WAR DEPARTMENT, QUARTERMASTER-GENERAL'S OFFICE,
Washington, January 28, 1901.

Respectfully submitted to the honorable the Secretary of War.

From the within letter and inclosures it appears that a coal pile belonging to the Quartermaster's Department at Honolulu, H. I., caught fire; that this fire raged from November 6 to 13, 1900; that it was finally extinguished by the U. S. S. *Iroquois* which used for the purpose hose belonging to the Honolulu fire department and that this use wore the hose out. The fire department state that their appropriations are figured very closely, and this being an exigency unprovided for they request that the damaged hose be replaced.

There is no appropriation of the Quartermaster's Department which is considered applicable for this purpose, but in view of the fact that this damage was done in saving Government property it is respectfully requested that if possible the hose be replaced by purchase of a like quantity from the appropriation "Contingencies of the Army." It is estimated that 700 feet of hose will cost \$600, approximately.

M. I. LUDINGTON,
Quartermaster-General U. S. A.

REIMBURSEMENT OF HONOLULU FIRE DEPARTMENT.

WAR DEPARTMENT,
Washington, February 7, 1901.

SIR: I have the honor to transmit herewith, together with other papers, a letter addressed under date of 2d ultimo to the chief quartermaster, San Francisco, Cal., by the acting depot quartermaster, Honolulu, H. I., recommending that certain hose belonging to the Honolulu fire department, rendered useless during a recent fire, be replaced by the United States.

It appears from these papers that a coal pile belonging to the Quartermaster's Department, at Honolulu, caught fire and burned from November 6 to 13, 1900, during which time the hose above mentioned was used by the U. S. S. *Iroquois* in extinguishing the flames and worn out by such use.

As there appears to be no appropriation under the control of the Quartermaster's Department from which this claim can be paid, the matter is submitted to you with request for decision as to what appropriation, if any, under the control of the War Department can be used for the purpose of purchasing hose to replace that rendered useless, as above set forth.

The return of the inclosed original papers with your reply is also requested.

Very respectfully,

ELIHU ROOT, *Secretary of War.*

THE COMPTROLLER OF THE TREASURY,
Washington, D. C.

TREASURY DEPARTMENT,
OFFICE OF THE COMPTROLLER OF THE TREASURY,
Washington, February 28, 1901.

SIR: I have received your letter of the 7th instant, in which you say:

"It appears from these papers that a coal pile belonging to the Quartermaster's Department, at Honolulu, caught fire and burned from November 6 to 13, 1900, during which time the hose above mentioned was used by the U. S. S. *Iroquois* in extinguishing the flames and worn out by such use."

The hose mentioned belonged to the Honolulu fire department and was obtained by the United States for use in extinguishing the fire referred to above.

You request my decision—

"As to what appropriation, if any, can be used for the purpose of purchasing hose to replace that rendered useless, as above set forth."

From the correspondence accompanying your letter it appears that a coal pile, containing about 600 tons, at the corner of Alakea and Allen streets, in Honolulu, caught fire and burned from November 6 to 13, 1900. The coal pile belonged to the Quartermaster's Department, at Honolulu. The fire department of Honolulu worked to put out the fire from November 7 to 10, when the hose of the fire department was attached to the pumps of the U. S. S. *Iroquois* and the fire was put out, but the constant thumping on the ground wore out and greatly damaged the hose.

The papers in the case indicate that the fire department and the Government cooperated to put out the fire, and one of the means employed was to attach the hose to the pumps of the *Iroquois*, but whether this was done at the suggestion of the fire department or at the suggestion of the Quartermaster's Department, or both, is not shown. It was the duty of the fire department of Honolulu to use its every effort to put out the fire, and this it, no doubt, did. If the hose was loaned by the fire department to the Quartermaster's Department to be attached to the pumps of the *Iroquois*, and it was so attached and used for the purpose for which it was loaned, in the absence of negligence in such use no legal liability on account of such use would arise.

Upon the facts presented I am unable to discover any legal liability against the Government, and I have to advise you that the claim should not be paid.

The inclosures are returned.

Respectfully,

L. P. MITCHELL,
Assistant Comptroller.